



Draft

Appendix D

Detailed Instructions for Bidder Registration and Proposal Submission for Fall 2004 Request for Proposals (RFP) for Supply-Side Resources

Entergy Services, Inc.

~~October 22, 2004~~

February 22, 2005

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GENERAL INSTRUCTIONS

This Appendix D and each Product Package located in Appendix C contain detailed instructions to Bidders for responding to this Fall 2004 RFP. Prior to developing their proposals, Bidders are requested to carefully read the RFP, including the instructions in this Appendix D, in its entirety.

For further information on these instructions and the electronic proposal submission process, as well as other matters relating to this RFP, a Bidders' Conference will be held on November 16, 2004, in Houston, Texas. Further information on the Bidders' Conference is provided in Section 2.3 of the RFP. In addition, as further described in Section 2.5 of the RFP, Bidders are invited to submit any questions regarding the RFP, whether they arise before, during or after the Bidders' Conference, in writing to the RFP Administrator.

1. Bidder Registration

1.1. Overview

A principal objective of ESI in designing the procedures that its employees and agents will be required to follow in conducting the RFP process is to preserve, to the maximum extent practicable, the confidentiality of any confidential information contained in Bidders' proposals, including, but not limited to, the identities of Bidders and the proposal prices and other terms and conditions of their proposals. This is particularly the case for the Proposal Receipt and Screening and Evaluation phases of the RFP process.

To support this objective, ESI has developed an automated Bidder registration process. Each Bidder must submit an electronic Bidder Registration Form by the specified deadline in order to be eligible to participate in this RFP solicitation process. This registration process is designed explicitly for the purposes of enabling the electronic submission of proposal documents by all Bidders, and, with the sole exception to the Credit Evaluator, to do so in a way that enables ESI to track and evaluate information tied to a proposal without also disseminating to evaluation team members information that explicitly identifies the Bidder.

Upon receipt of a completed Bidder Registration Form, each Bidder will be issued a unique Bidder Identification Number (explained in further detail in Section 1.4 below) to be utilized in the electronic proposal submission process.

Submitting a Bidder Registration Form does not commit a prospective Bidder to submitting a proposal in response to this RFP.

The identity of all registered prospective Bidders will be kept confidential.

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1.2. Bidder Registration Form

The draft Bidder Registration Form will be available for review on the RFP Website on or about October 22, 2004. The final Bidder Registration Form will be available on the RFP Website on or about ~~January 5~~February 22, 2005.

Each Bidder must download this form and fill out all required fields in an electronic version of the form. In addition to providing Bidder identity and contact information, the Bidder will also be required to indicate each generating plant for which proposals will be submitted. If a Bidder intends to submit a proposal(s) ~~only~~ for the LD product *only*, then such Bidder should ~~enter indicate so by checking the box for "LD Product" under "Name of Generating Plant" in the form. Only~~. Bidders who fail to submit a complete electronic Bidder Registration Form by the deadline specified below will be precluded from participation in the proposal submission process, because this form will be the sole means by which a Bidder receives a unique Bidder Identification Number, as further explained below. Additionally, Bidders will be precluded from submitting a proposal for any generating plants that were not listed in the Bidder Registration Form.

Bidders must correctly perform several steps to complete the Bidder Registration Form.

- ❖ Bidders must download the Bidder Registration Form from the RFP Website after the final RFP is posted on or about ~~January 5~~February 22, 2005.
- ❖ Bidders must complete the form and email it as an attachment to the RFP submission email address ~~(to be provided in the final Fall 2004~~ RFP@ESIRFP@entergy.com (the "RFP Submission Email Address") between 8:00 a.m. CPT on ~~January 10~~February 28, 2005 and 6:00 p.m. CPT on ~~January 4~~March 4, 2005. Please note that Microsoft Word macros must be enabled to properly complete the form.
- ❖ Bidders must provide their correct email address in the Bidder Registration Form. This address is the only means by which the Bidder can receive certain communications (*i.e.*, confirmations or rejections) from ESI during the RFP process.
- ❖ Bidders should receive a confirmation/rejection email within 30 minutes of submitting the Bidder Registration Form. If no confirmation/rejection email is received, Bidders should check the email address that was submitted in the Bidder Registration Form.
- ❖ Please note, if a Bidder has selected "return receipt requested" (which is a feature of most email programs but is not a part of the RFP process) on its submission of the Bidder Registration Form, the Bidder may receive a notification that its email has been deleted. This notification should be ignored and, if the Bidder Registration Form was correctly completed, a confirmation email should be received shortly after the notification.

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Bidders are strongly encouraged to submit their registration forms well in advance of the final deadline to provide adequate time to correct any errors which may be identified by ESI in the electronic registration process.

ESI will have an RFP “Hotline” available from ~~January 10~~February 28, 2005 to ~~January 20~~March 11, 2005, on Business Days from 8:00 a.m. to 5:00 p.m. CPT, to assist Bidders only with respect to **technical questions regarding the electronic registration or proposal submission process** (the “RFP Hotline”). The number for the RFP Hotline ~~will be provided in the final Fall 2004 RFP~~ is 281-297-3752.

Each Bidder must submit a properly completed electronic Bidder Registration Form between 8:00 a.m. CPT on ~~January 10~~February 28, 2005 and 6:00 p.m. CPT on ~~January 1~~March 4, 2005, via email to the RFP Submission Email Address. **Bidders shall bear the risk of failing to submit an acceptable registration form by the specified deadline. Bidders who submit their registration form within two hours of the specified deadline shall bear a substantial risk that, in the event of an error in their submission or a technical malfunction, they may not have enough time before the deadline to correct and resubmit an acceptable form. ESI shall be under no obligation to Bidders to accept any improperly completed registration forms.**

1.3. Notification of Confirmation/Rejection of Bidder Registration

If a Bidder attempts to submit a Bidder Registration Form without properly completing all fields designated as “required”, then the Bidder will receive an email indicating that the Bidder Registration Form has been rejected and such email will specify the missing or improperly completed fields. The Bidder will be permitted to submit a corrected Bidder Registration Form, as long as the properly completed form is received in electronic form by ESI no later than 6:00 p.m. CPT on ~~January 1~~March 4, 2005.

Upon ESI’s receipt of a completed Bidder Registration Form, each Bidder will receive an email confirming receipt and providing Bidder with identification numbers as described below. Upon receipt of a Bidder Identification Number (as described below in more detail), each Bidder will be required to sign and fax the Bidder Registration Form per the instructions in the confirmation email. Bidder Registration is not complete until an executed Bidder Registration Form is received by the RFP Administrator.

1.4. Issuance of Bidder Identification Number and Plant Identification Number(s) and if requested, a Signature Identification Number

Each Bidder will receive a unique Bidder Identification Number. In addition, unique Plant Identification Number(s) will be issued for each generating plant indicated in the Bidder’s Bidder Registration Form. These reference numbers, further described below, will be provided to Bidders in the return email indicating confirmation of receipt of their Bidder Registration Form.

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The purpose of issuing a Bidder Identification Number to each Bidder is to attempt to provide a reasonable level of assurance of anonymity in order to maintain a fair and consistent evaluation process. The Bidder will be required to reference this Bidder ID in all proposals that the Bidder may submit. Each Bidder ID will be unique to each Bidder and will include the letter “B” followed by two numeric characters (*e.g.*, B12).

A Plant Identification Number will be issued to each Bidder for each generating plant listed in the Bidder Registration Form (*e.g.*, if Bidder lists three generating plants in its Bidder Registration Form, three unique Plant IDs will be issued). The purpose of this process is to attempt to provide a reasonable level of assurance of anonymity in order to maintain a fair and consistent evaluation process. The Bidder will be required to reference this Plant ID in all proposals that the Bidder will submit for that particular generating plant. Each Plant ID will be unique to each generating plant and will include the letter “R” followed by three numeric characters (*e.g.*, R345). ~~(Note relating to the LD product only: Although Plant IDs will be issued during the Bidder Registration process, they will not be required for proposal submission.)~~ Bidders who elect the “LD Product Only” option will not be required to give Generating Plant entries. They will not receive any Plant ID(s), and any Generating Plant entries they give on the Bidder Registration Form will be ignored.

Note that the use of Bidder ID numbers and Plant ID numbers is part of ESI’s attempt to ensure that appropriate protections are in place to minimize the dissemination of information that explicitly identifies Bidders to members of ESI’s Proposal Evaluation Team that do not need to know such information. As described further in Appendix F, while no process can ensure that the identity of the Bidders remains completely anonymous, the intention is to provide the maximum reasonably practicable level of assurance of anonymity in order to maintain a fair and consistent evaluation process.

If a Bidder desires to include additional plants prior to the deadline, the Bidder must add those plants below the plants previously registered and resubmit the revised Bidder Registration Form prior to the deadline. Please note that any previously submitted Bidder Registration Forms are superseded by the last Bidder Registration Form that is confirmed as timely received by the ESI automated system.

If the Bidder so requests in its Bidder Registration Form to be provided with a Signature Identification Number, a unique electronic Signature Identification Number will be issued to the Bidder by ESI. By using this Signature Identification Number in any electronic submission where a signature is required, the Bidder consents to the use of the Signature Identification Number as an electronic signature and agrees that the Signature Identification Number will have the same force and effect as a handwritten signature, as permitted under the Electronic Signatures in Global and National Commerce, U.S.C. §§ 7001 -7003. The Signature Identification Number will include the letter “S” followed by four numeric characters (*e.g.*, S6789). In the event the Bidder elects not to request an electronic Signature Identification Number for use in this RFP, the Bidder is still required to submit its proposal electronically but may use a facsimile signature or .pdf signature or other electronically-submitted handwritten (“wet”) signature of its authorized representative where a signature is required, which submission should be followed by an

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original, hard copy of the executed document comprising such submission to the RFP Administrator.

2. Proposal Submission Process

Each proposal must be submitted electronically via email as directed below. Electronic proposal submission and processing has been implemented to simplify the proposal submission process for Bidders and to help streamline ESI's RFP process and make more efficient the means to support ESI's efforts to ensure that all proposals are consistently, accurately and thoroughly evaluated by ESI. The electronic proposal submission procedures are further described below. Bidders should not send, and ESI will not accept, paper copies of electronic proposals.

Section 1.3 of the Fall 2004 RFP provides a summary description of each type of product for which proposals are being requested by this Fall 2004 RFP. Bidders may submit a proposal for a single product, an additional proposal for each additional product, and alternate proposals for a single product, by reviewing the applicable Term Sheets and completing the forms in the Product Package that correspond to each product for which the Bidder desires to submit a proposal. In the event that a Bidder wishes to provide multiple proposals for the same Capacity, the Bidder must clarify in the "Special Considerations" section of the completed Proposal Submission Forms of each proposal that such proposals are mutually exclusive and it is possible for only one of the proposals to be selected by ESI. In addition, if Bidder desires that multiple MUCCO or MUCPA proposals be considered as a combined proposal, the Bidder must indicate this in the "Special Considerations" sections of such Proposal Submission Forms.

2.1. Joint Proposals

ESI is making every reasonable effort to maximize fair and impartial competition and prevent or avoid collusion by any parties in this RFP process. Proposals determined by ESI, in its sole discretion, to have been made with the intent or effect of creating artificial prices, terms, or conditions will be rejected. Bidders are prohibited from disclosing the fact of, or terms and conditions of, any proposal that the Bidder intends or expects to submit in response to the RFP to any other Person, and is prohibited from other action in concert with other Persons with respect to a potential proposal for this RFP process, except for the purpose of jointly developing a proposal, and in such cases, only after prior written notification to the RFP Administrator of an intent to make such disclosures or otherwise act in concert. Such notification to ESI shall include the identities of, and background information concerning, the Persons to which such disclosures might be made, and shall include a description of the disclosures and/or actions in concert that are contemplated.

2.2. Proposal Submission Forms

Appendix C includes separate Product Packages for each type of product for which ESI is seeking proposals in response to this Fall 2004 RFP. Each Product Package contains the proposal form that must be completed and submitted, and instructions for completing the form in order to submit a conforming proposal for the product to which it relates, as well as a Term Sheet for that product that summarizes basic terms and conditions and information requirements for the product. Each Bidder is encouraged to

The statements contained in this Appendix are made subject to the Reservation of Rights set forth in the RFP and subject to the terms and acknowledgements set forth in the Proposal Submission Agreement.

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carefully review the relevant Term Sheet for each product the Bidder intends to offer. The Term Sheets establish certain key terms and requirements for each product and outline a significant portion of the information to be provided in any proposal offering the product. The electronic Proposal Submission Forms contain fields for providing all of the information requested by the Term Sheets as well as certain additional information.

Electronic Proposal Submission Forms must be downloaded from the RFP Website after the final RFP is posted on or about ~~January 5~~ February 22, 2005. Each form will be available in protected Microsoft Word format. Please note that Microsoft Word macros must be enabled to properly complete the form. Bidders are required to use the Proposal Submission Forms in Appendix C to submit their proposals. Adherence to the provided forms will facilitate ESI's comparison and evaluation of the proposals. Bidders must complete the electronic Proposal Submission Form in the applicable Product Package for each proposal it submits.

Bidders must submit a proposal for each product they choose to offer to ESI. For each product and for any proposed alternative for each product, the Bidder must identify on the appropriate form the type of product the proposal is offering. The Bidder must complete the appropriate forms in their entirety. Using the forms is intended to ensure consistency in proposal submission and consistency in proposal interpretation by ESI.

2.3. Instructions

There are several fields within the Proposal Submission Forms which are required to be completed, and will be indicated as such in the Proposal Submission Forms. Other information may be requested – but is not required – of Bidders. Should a Bidder attempt to submit a proposal without properly completing all fields designated as required, then the Bidder will receive an email indicating that the proposal has been rejected and specifying the missing or improperly completed field, as further explained in Section 2.4 below. If a Bidder believes that a particular requested disclosure is not applicable to the Bidder's proposal and the Bidder intends to omit that disclosure, then the Bidder should indicate "N/A" in the space provided for such disclosure and address in the "Special Considerations" section of the Proposal Submission Form why the Bidder believes the disclosure is not applicable.

Each Bidder must reference its own unique Bidder ID and the appropriate Plant ID in all electronic Proposal Submission Forms associated with that Bidder's proposals. The Bidder ID and Plant ID reference numbers, which will be issued during the Bidder Registration process which concludes prior to the proposal submission period, are required in order for the Bidder to be eligible to participate in the RFP proposal submission process. **(Note: Plant IDs will not be required for LD product proposal submission.)**

Bidders must provide their correct email address in the Proposal Submission Form. This address is the only means by which the Bidder can receive RFP-related communications (*i.e.*, confirmations or rejections) from ESI during the RFP process.

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Should a Bidder desire to submit unit contingent Capacity (MUCCO or MUCPA) proposals from more than one generating plant to be considered as a combined proposal, the Bidder should indicate ~~such~~so in the "Special Considerations" section of the Proposal Submission Form for each such proposal that is intended to be part of such combined proposal. In this case, the Bidder will be required to select from a list of "Combined Proposal Names." Each MUCCO and/or MUCPA proposal that the Bidder intends to be included in a combined proposal must indicate the same Combined Proposal Name in each separate MUCCO and/or MUCPA proposal. Use of a Combined Proposal Name is the only means by which ESI will evaluate the proposals as a "combined proposal." (Note: Proposals for LD products may not be combined with any other proposals.)

All proposals must be submitted in accordance with the detailed instructions and on the applicable form(s) provided in the Product Packages in Appendix C and must be signed by an officer (or similarly situated representative) of the Bidder duly authorized to act on behalf of the Bidder by the Bidder's board of directors (or similar governing body for an unincorporated Bidder). The failure of the Bidder to submit a proposal on the requisite forms will be a cause for rejection of the proposal.

Final proposals will only be accepted between 8:00 a.m. CPT on Monday, ~~January 4~~March 7, 2005 until 65:00 p.m. CPT on ~~Thursday, January 20~~Friday, March 11, 2005, and must be submitted as a Microsoft Word attachment via electronic mail during that period to the RFP Submission Email Address ~~(to be provided in the final Fall 2004 RFP):~~ ESIRFP@entergy.com.

2.4. Notification of Confirmation/Rejection of Proposal Submission Form

Bidders will be notified via email shortly after submittal whether each proposal submitted was rejected or confirmed as received by ESI. Please note, if a Bidder has selected "return receipt requested" (which is a feature of most email programs but is not a part of the RFP process) on its submission of the proposal, the Bidder may receive a notification that its email has been deleted. This notification should be ignored and, if the proposal was correctly completed, a confirmation email should be received shortly after the notification. Proposals that are not properly completed will be automatically rejected and an email notification will be provided to Bidders indicating the reason the proposal was rejected. Bidders may contact the RFP Hotline for technical assistance. **Bidders are strongly encouraged to submit their proposals well in advance of the deadline to provide adequate time to correct any errors which may be identified by ESI in the electronic proposal submission process.**

Bidders should receive a confirmation email within 30 minutes of submitting the Proposal Submission Form. If no confirmation email is received, Bidders should check the email address that was submitted in the Proposal Submission Form.

Bidders will be permitted to correct and resubmit previously rejected Proposal Submission Forms up to 65:00 p.m. CPT on ~~January 20~~March 11, 2005. Any proposals received after the deadline or those sent to another electronic mail address will be considered non-conforming and will be rejected. **Bidders shall bear the risk of failing**

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to submit an acceptable proposal form by the specified deadline. Bidders who submit their proposal form within two hours of the specified deadline shall bear a substantial risk that, in the event of an error in their submission or a technical malfunction, they may not have enough time before the deadline to correct and resubmit an acceptable form. ESI shall be under no obligation to Bidders to accept any improperly completed proposal forms.

If the Bidder did not select the electronic signature option during the Bidder registration process, the Bidder must either fax or email a .pdf version of the executed signature page (and only the signature page) of each proposal to the RFP Administrator as per the instructions in the confirmation email by no later than ~~65:00~~ p.m. CPT on ~~January 20~~ **March 11**, 2005. If the entire proposal is received by fax, it will be discarded and not reviewed.

Upon confirmation of proposal receipt, a proposal identification number ("Proposal ID") will be automatically assigned to each proposal and provided to the Bidders in the return email indicating confirmation of receipt of the Proposal Submission Form.

2.5. Process for Proposal Withdrawal

If during the proposal submission period, a Bidder desires to withdraw a proposal or desires to substitute a proposal which was confirmed as received by ESI, then such Bidder will be permitted to do so by completing the withdrawal form letter (the "Proposal Withdrawal Form") attached hereto as Attachment D-1, and submitting the same via facsimile transmission to the RFP Administrator at (281) 297-3937 by no later than the proposal submission deadline. If another proposal is intended to substitute for the withdrawn proposal, the process of withdrawing a proposal and submitting a new one must be completed by no later than ~~65:00~~ p.m. CPT on ~~January 20~~ **March 11**, 2005.

Attachment D-1
PROPOSAL WITHDRAWAL FORM

[Insert Date]

Entergy Services, Inc.
Attn: Ms. Laura Berryman, ESI RFP Administrator
Sent via facsimile transmission to: (281) 297-3937

Re: Bidder Name: _____
Bidder ID: _____
Proposal ID: _____

Dear Ms. Berryman:

By this letter, please be advised that Bidder is withdrawing the above-referenced proposal from consideration in Entergy Service, Inc.'s Fall 2004 Request for Proposals for Supply-Side Resources ("Fall 2004 RFP"). Bidder confirms that the above-referenced proposal was submitted electronically in response to the Fall 2004 RFP between the dates of ~~January 4~~ March 7, 2005 and ~~January 20~~ March 11, 2005, and is withdrawing said proposal BEFORE ~~January 20~~ March 11, 2005 at ~~65~~:00 p.m. CPT, which time is the deadline for receipt of proposals in the Fall 2004 RFP.

Regards,

Signature of Authorized Representative of Bidder

[Printed Name]

[Title]

Date of Signature